

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

FILED BY \_\_\_\_\_ D.C.

2005 OCT 31 PM 6:59

THOMAS M. GOULD  
CLERK, U.S. DISTRICT COURT  
W/D OF TN, MEMPHIS

FRANKLIN JONES, IV,  
Plaintiff,  
vs.  
SMITH & NEPHEW,  
Defendant.

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No. 05-2346-M1/V

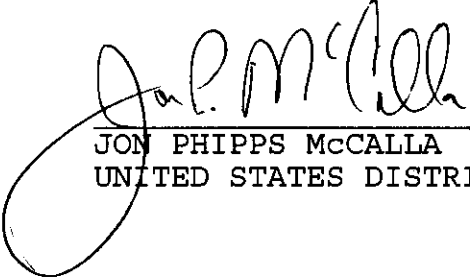
ORDER OF DISMISSAL

Plaintiff Franklin Jones, IV filed a pro se complaint pursuant to Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e et seq., on April 22, 2005, along with a motion seeking leave to proceed in forma pauperis. The Court issued an order on August 30, 2005 denying leave to proceed in forma pauperis and directing the plaintiff to pay the \$250 civil filing fee within thirty days. The August 30, 2005 order also provided that "[f]ailure to timely comply with this order will result in dismissal of this action, pursuant to Fed. R. Civ. P. 41(b), for failure to prosecute." 08/30/05 Order at 2.

The plaintiff has not complied with, or otherwise responded to, the August 30, 2005 order, and the time set for a

response has expired. Accordingly, the Court DISMISSES the complaint without prejudice, pursuant to Fed. R. Civ. P. 41(b), for failure to prosecute.

IT IS SO ORDERED this 31 day of October, 2005.



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JON PHIPPS McCALLA  
UNITED STATES DISTRICT JUDGE



# Notice of Distribution

This notice confirms a copy of the document docketed as number 4 in case 2:05-CV-02346 was distributed by fax, mail, or direct printing on November 1, 2005 to the parties listed.

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Franklin Jones  
3075 Parker Road  
Memphis, TN 38109

Honorable Jon McCalla  
US DISTRICT COURT